

REMARKS

Claims 11 – 20 remain in this application. Claim 11 has been amended. Reconsideration of this application in view of the amendments noted is respectfully requested.

Claim 11 has been amended to include the limitation that the intake-air connection in the cell alters the temperature and/or flow of the exhaust air for cooling the separator. Support for this amendment can be found on page 6, lines 9 – 17. Claim 11 has also been amended to change the format and syntax of the claim.

In the Office Action, claims 11 – 20 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to specifically point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, claim 11 was found to be unclear as to whether one or two separators were being claimed.

Claim 11 has been amended to change “a separator” in line 8 to read --the separator-- in order to clarify that there is only one separator (reference numeral 15) that is fitted inside the cell (14) as presently claimed. The hood may have a pre-separator (30) for removing large particles from the exhaust air. (See the last paragraph of page 7 of the specification).

Claims 12 – 20 appear to have been rejected solely due to their dependency from claim 11.

Applicant submits that the amended claim 11 is definite, and therefore respectfully requests that the Section 112, second paragraph rejection of claims 11 – 20 be withdrawn.

Claims 11 – 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Molitor (U.S. Patent No. 4, 407,266) in view of Hepner (U.S. Patent No. 4,235,220). Applicant respectfully traverses this rejection.

Molitor and Hepner, either alone or in combination, fail to disclose or fairly suggest the arrangement as presently claimed in claim 11. In particular, Molitor does not disclose or fairly suggest any cell arranged separate from the hood. The "box" of Molitor (12, 29, 28, 24, 26) is inside the hood and actual grease separation is made by a water bath (W) (see column 3, lines 35 – 55). Further, Molitor does not disclose or fairly suggest an intake-air connection that leads intake air into the cell and cools the separator. In this regard, the

apparatus of Molitor functions in a way that is opposite to the present invention. The heat from Molitor's hood is used for heating the makeup air, while according to the invention the intake air is used for cooling the grease separator. Heat is utilized in Molitor only when the water bath is hot enough. This means that the mist separator (E) of Molitor is also at a high temperature. Column 5, line 62 to column 6, line 17 of Molitor discloses temperatures in the range of 200 °F – 100 °F (93 – 38 °C). Molitor discloses that the mist separator (E) is inside the hood and there is no mentioning of cooling the mist separator. And heat is utilized only when there is plenty of it. This disclosure is the opposite of the present invention. According to the present invention, the intake air is led directly to the cell to cool the separator (15), which is also completely surrounded by insulation (22). In most cases, the intake air is much cooler than 30°C. In hot areas, the intake air may be cooled with the heat exchanger (17).

Therefore, Molitor does not disclose or fairly suggest a cell that is not part of the hood, and is disposed downstream of and arranged after the hood, to which the separator is fitted, and which is connected to the exhaust-air duct, and the cell includes a connection for leading the exhaust air collected from the hood to the cell, and an intake-air connection in the cell downstream and separate from the hood for introducing additional non-exhaust air into the cell and thus for mixing intake air with collected exhaust air to alter the temperature and/or flow of the exhaust air and for cooling the separator, as in present claim 11.

And Hepner fails to remedy this deficiency. Hepner is silent about cooling a filter. Hepner includes a primary grease filter (52), a secondary grease filter (56), and a charcoal filter (60) (see column 6, lines 23 – 32). The charcoal filter (60) is activated by a heating element (72) at a temperature of 485 °F (see column 6, line 19). The exhaust air from the hood is recycled back into the room. Hepner does not include an intake-air connection that leads intake air into a cell and cools a separator.

For these reasons, claim 11 is patentable over any possible combination of Molitor and Hepner. Claims 12 – 20, depending from claim 11, are also patentable over Molitor and Hepner. Accordingly, applicant respectfully requests that the Section 103(a) rejection of claims 11 – 20 as being unpatentable over Molitor in view of Hepner be withdrawn.

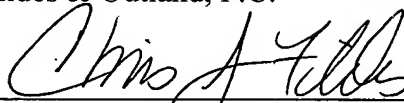
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This amendment and request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to place this application in condition for allowance. Favorable action is requested.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Chris J. Fildes", written over a horizontal line.

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